



3765

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Attorney Docket Number CHARRA 40426 (now C05/P01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Barry Lipsett, Stina Shaw, and David Barnes

Serial No.: 10/080,056

Group Art Unit: 3765

Filed: 21 Feb 2002

Examiner: Tajesh D. Patel

Title: Pullover Jacket with Customized Decorative Band

CERTIFICATE OF MAILING UNDER 37 C.F.R §1.8(a)

I hereby certify that this correspondence is being deposited with the US Postal Service as FIRST CLASS MAIL in an envelope addressed to: Commissioner for Patents, Box 1450, ~~Washington, DC~~ 22313-1450, on: 4 NOV 2003 ~~Washington, DC~~ Alexandria, VA

Date of mailing

Maura K. Moran
Maura K. Moran

SUBMISSION OF STATEMENT FILED PURSUANT
TO THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97, AND 1.98
AND INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Form PTO/SB/08a)

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Please accept the attached SUBMISSION OF STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97, AND 1.98 and INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Form PTO/SB/08a).

No fee is enclosed for the submittal of the above-identified documents. In the event there is a fee, consider this as a Petition for an extension for the required period and charge the fee required to Deposit Account No.: 13-4401. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Maura K. Moran

Maura K. Moran

Reg. No.: 31,859

Customer No. 28283

Date: 4 NOV 2003
Maura K. Moran, Attorney at Law
59 Brookdale Road
Sudbury, MA 01776
(978) 443-4558

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4 NOV 2003

Date of mailing

Maura K Moran

Signature

MAURA K. MORAN

Hon. Commissioner for Patents
Box 1450
Washington, D.C. 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97, AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56(a), 1.97, and 1.98, Applicant hereby cites the following documents (copies enclosed) listed on the attached copy of Form PTO-1449, and requests consideration of this Information Disclosure Statement.

Part 1: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR 1.97 checked below:

☐ 1.97(b) This Information Disclosure Statement is filed:

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- (1) Within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. 53(d); OR
- (2) Within three months of the filing date of the entry of the national stage, as set forth in 37 C.F.R. 1.491, in an international application; OR
- (3) Before the mailing of a first Office Action after the filing of a request on the merits; OR
- 4) Before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. 1.114.

No fee or certification is required.

X ~~2~~ 1.97(c) This Information Disclosure Statement is filed after the period specified in paragraph (b) above, but before the mailing date of either:

- (1) A Final Action under 37 CFR 1.113; OR
- (2) A Notice of Allowance under 37 CFR 1.311; OR
- (3) An Action that otherwise closes prosecution in the above-identified patent application;

AND is accompanied by either: (CHECK ONE)

- X ~~2~~ the Certification under 37 CFR 1.97(e) as set out below; OR
— the fee of \$180.00 under 37 CFR 1.17(p).

— 1.97(d) This Information Disclosure Statement is filed after the mailing date of either:

- (1) a Final Action under 37 CFR 1.113; OR
- (2) A Notice of Allowance under 37 CFR 1.311; OR
- (3) An Action that otherwise closes prosecution in the above-identified patent application;

BUT before payment of the Issue Fee, AND is accompanied by:

- (1) the Certification under 37 CFR 1.97(e) as set out below; AND

- (2) Authorization to charge the petition fee of \$130.00 set in 37 CFR 1.17(p).

If this Information Disclosure Statement is being filed under 37 CFR 1.97(c) or 1.97(d), the undersigned Attorney hereby certifies that: (CHECK ONE)

☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Statement; OR

☒ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned Attorney after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing date of this Statement.

The Commissioner is authorized to charge additional fees or credit any overpayment to Deposit Account No. 13-4401.

Part 2: Information Cited

XA. The Applicant hereby makes of record in the above-identified application the information listed on the attached form. The order of preference of the references should not be construed as an indication of the importance of the references. Further, none of the references describe or suggest the present invention.

 B. The Applicant hereby makes the following additional information of record in the above-identified application:

Part 3: Explanation of Non-English Language References

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form.

Part 4: Remarks

The following are remarks concerning the information cited:

Part 5: General

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form be signed by the Examiner to evidence that the cited information has been fully considered by the U.S. Patent And Trademark during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Attorney Docket Number CHARRA 40426 (now C05/P01)

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined in 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable reply is hereby requested.

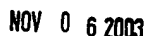
Respectfully submitted,

A handwritten signature in cursive script that reads "Maura K. Moran".

Maura K. Moran
Attorney for Applicant
Reg. No.: 31,859
Customer No. 28283

Date: *4 NOV 2003*

Maura K. Moran, Attorney at Law
59 Brookdale Road
Sudbury, MA 01776
(508) 443-4558



Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO

Complete if Known

(Use as many sheets as necessary)

Sheet

1

Q

1

Application Number

10/080.056

Filing Date

21 Feb 2002

First Named Inventor

Barnes

Art Unit

3765

Examiner Name

T. D. Patel

Attorney Docket Number

C05/P01

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
	1	US- 4,875,237	10-24-89	Cohen	Figs. 1, 3
	2	US- 4,969,214	11-13-90	Cohen	Figs. 1, 3
		US-			
		US-			
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[illegible]

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.